



19 8/29/02 RCE/284
PTO/SB/30 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/401,660
Filing Date	September 23, 1999
First Named Inventor	MASAAKI NAKABAYASHI
Group Art Unit	2872
Examiner Name	A. Chang
Attorney Docket Number	00684.002902

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted

- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____

b. ☒ Enclosed

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(b) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☐ The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. _____

- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) 08/22/2002 AMONDAF1 00000010 09401660
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:179 740.00 CP
- iii. ☐ Other _____

b. ☒ Check in the amount of \$ 740.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Justin J. Oliver	Registration No. (Attorney/Agent)	44,986
Signature		Date	August 20, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on _____.

Name (Print/Type)		Date	
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.



00684.002902

#21/9
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
MASAAKI NAKABAYASHI, ET AL.)
Application No.: 09/401,660)
Filed: September 23, 1999)
For: DIFFRACTIVE OPTICAL ELEMENT)
AND METHOD OF MANUFACTURE:)
OF THE SAME)
August 20, 2002

Commissioner for Patents
Box AF
Washington, D.C. 20231

AMENDMENT AFTER FINAL REJECTION AND
PETITION FOR EXTENSION OF TIME

Sir:

Applicants petition to extend the time for response to the final Office Action dated March 20, 2002, for two months from June 20, 2002, up to and including August 20, 2002. A check in the amount of \$400.00 for payment of the extension fee is enclosed.

Please charge any additional fee required for the extension, or credit overpayment, to Deposit Account No. 06-1205.

The Examiner is respectfully requested to consider and enter the following amendments:

08/22/2002 AWONDAF1 00000010 09401660

02 FC:116

400.00 OP

RECEIVED
AUG 22 2002
TECHNOLOGICAL CENTER 2800